

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

2008 JUL 16 PM 4:44

CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY K  
DEPUTY

MAX WELLS,

PLAINTIFF,

V.

SMITHKLINE BEECHAM  
CORPORATION,

DEFENDANT.

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CAUSE NO. A-06-CA-126-LY

**ORDER**

Before the Court are Defendant's Unopposed Motion to File Under Seal Motion for Summary Judgment as to Causation (Clerk's Document 160), Defendant's Unopposed Motion to File Under Seal Motion to Preclude Proposed Expert Testimony Pursuant to Federal Rules of Evidence 702 and 703 and for Summary Judgment (Clerk's Document 162), and Defendant's Unopposed Motion to File Under Seal Motion for Summary Judgment as to Preemption (Clerk's Document 164), all filed July 15, 2008. Having reviewed the motions, the Court will deny them.

**IT IS ORDERED** that Defendant's Unopposed Motion to File Under Seal Motion for Summary Judgment as to Causation (Clerk's Document 160), Defendant's Unopposed Motion to File Under Seal Motion to Preclude Proposed expert Testimony Pursuant to Federal Rules of Evidence 702 and 703 and for Summary Judgment (Clerk's Document 162), and Defendant's Unopposed Motion to File Under Seal Motion for Summary Judgment as to Preemption (Clerk's Document 164) are **DENIED**.

**IT IS FURTHER ORDERED** that on or before Friday, July 25, 2008, Defendant may



withdraw its motions, redraft same to omit any information protected by the parties' Protective Order, and refile such motions.

SIGNED this 16th day of July, 2008.

  
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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE